

REMARKS

As a response to the Office Action dated August 19, 2009, Applicant has, by the foregoing, cancelled claims 10-21, without prejudice; amended claims 1-9; and added new claims 22-31 for consideration by the examiner. Accordingly, remaining in the application is independent claim 1 with its dependent claims 2-9; independent claim 22 with its dependent claims 23-29; and independent claim 30 with its dependent claim 31.

Election/Restriction

The previous Office Action issued in connection with the subject application set forth a restriction requirement requiring Applicant to elect between the invention of Group I (which included claims 1-14 and 17-21) directed to a brush-less resolver and the invention of Group II (which included claims 15 and 16) directed to a coil structure and the details of signals E3 and E4. In response, Applicants elected Group I.

By the foregoing, claims 15 and 16 have been cancelled, without prejudice, and new claims 22-31 have been added. It is respectfully submitted that claims presently of record in the application (including new claims 22-31), are properly directed to subject matter that is consonant with Group I, as previously elected by Applicant. Accordingly, substantive consideration of claims 1-9 and 22-31 is respectfully requested.

In the Title

The Office Action indicates that the title is objected. By the foregoing, Applicant has amended to the title to overcome this objection. Consideration of the amended title and an indication that the objection has been overcome is respectfully requested.

In the Claims

By the foregoing amendments, claims 10-21 have been cancelled, without prejudice. It is to be understood, however, that Applicant preserves the right to present the subject matter recited in the cancelled claims (i.e., claims 10-21) in claims of at least the same scope this or in a later-filed, related application.

The Office Action indicates that the application contains misnumbered claims 16-20 and that the same have been renumbered as claims 17-21 by the Examiner. As indicated above, however, claims 10-21 have been cancelled, without prejudice, which should obviate this issue. New claims 22-31 are believed to be presented in a proper numeric order.

The Office Action indicates that claims 1-14 and 17-21 are objected to because of numerous informalities presented in the claims. By the foregoing, claims 1-9 have been substantially amended. As such, Applicant respectfully submits that the subject claims, as presented herein, address the numerous informalities listed under Section 7 of the Office Action and that the subject claims, as presented herein, are in proper form. As such, substantive consideration of the subject claims, as presently amended, is respectfully requested.

In the Drawings

The Office Action indicates that the drawings are objected to under 37 C.F.R. §1.83(a) for failure to show every feature of the invention that is specified in the claims. More specifically, the Office Action indicates that the slot for the rotor and the slot for the stator must be shown in the drawings or the features cancelled from the claims.

By the foregoing, the references to the slots of the rotor and stator have been eliminated from the subject claims, as presented herein. As such, it is respectfully submitted that the objection to the drawings that was set forth in the Office Action has been hereby obviated. Reconsideration of the objection to the drawings is respectfully requested.

CONCLUSION

It is respectfully submitted that the foregoing amendments and discussion are fully responsive to the latest Office Action and that the claims are in proper form. Having addressed all of the outstanding objections and/or rejections, the subject application is now believed to be in condition for allowance. Reconsideration of the claims and an early notice of allowability are earnestly solicited.

Alternatively, in the interests of compact prosecution and advancing this application to issue, Applicants respectfully request that the Examiner telephone the undersigned to discuss any of the foregoing and/or to make any suggestions that the Examiner may have to place the case in condition for allowance.

☒ Remaining Claims, as delineated below:

(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT LESS HIGHEST NUMBER PREVIOUSLY PAID FOR		(3) NUMBER EXTRA
TOTAL CLAIMS	19	- 21 =	0
INDEPENDENT CLAIMS	3	- 3 =	0

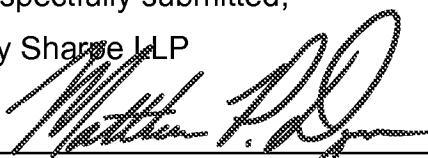
☒ This is an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time.

☒ The Commissioner is hereby authorized to charge any filing or prosecution fees which may be required, under 37 CFR 1.16, 1.17, and 1.21 (but not 1.18), or to credit any overpayment, to Deposit Account 06-0308.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call the undersigned, at Telephone Number (216) 363-9000.

Respectfully submitted,

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Date